

## DOAR RIECK KALEY &amp; MACK

JOHN JACOB RIECK, JR.  
JOHN F. KALEY  
WALTER MACK  
EDWARD SCARVALONE

ATTORNEYS AT LAW

SPECIAL COUNSEL  
JOHN DOAR

OF COUNSEL  
AMY ROTHSTEIN  
EILEEN MINNEFOR  
DAVID RIVERA  
PAUL E. MINNEFOR

ASTOR BUILDING  
7TH FLOOR  
217 BROADWAY  
NEW YORK, N.Y. 10007-2911

TELEPHONE: (212) 619-3730  
FACSIMILE: (212) 962-5037  
e-mail: firm@doarlaw.com

March 16, 2009

Hon. Shirley Werner Kornreich  
Justice, Supreme Court  
State of New York  
County of New York  
111 Centre Street, Room 536  
New York, New York 10013

Re: *The Estate of Yaron Unger et al. v. Palestinian Authority et al.*  
Index No. 105521/05

Dear Justice Kornreich:

Pursuant to the discussion we had at the hearing in the above matter last Thursday, I enclose a copy of the Order staying a proceeding brought by the Ungar estate in federal district court in Connecticut to enforce the judgment obtained in the District of Rhode Island. As Your Honor can see, Judge Dorsey granted the stay on the basis of the Palestinian Authority's pending motion to vacate the judgment in the District of Rhode Island.

As I was unable to locate a signed copy of the Order, I enclose, with the unsigned


Hon. Shirley Werner Kornreich

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March 16, 2009

Order, the PACER docket sheet showing that an Order granting a motion to stay was signed by Judge Dorsey (Entry 158.)

Respectfully,

  
Amy Rothstein

Enclosure

cc: w/enclosure; by e-mail:

Robert J. Tolchin, Esq.  
Jaroslawicz & Jaros  
225 Broadway, 24<sup>th</sup> Floor  
New York, New York 10007  
[rjt@tolchinlaw.com](mailto:rjt@tolchinlaw.com)

Kenneth Bialo, Esq.  
Emmet, Marvin & Martin LLP  
120 Broadway, 32<sup>nd</sup> Floor  
New York, New York 10271  
[kbialo@emmetmarvin.com](mailto:kbialo@emmetmarvin.com)

Haig Kalbian, Esq.  
Kalbian Hagerty LLP  
888 17<sup>th</sup> Street, N.W., Suite 1000  
Washington, D.C. 20006  
[hkalbian@kalbianhagerty.com](mailto:hkalbian@kalbianhagerty.com)

Premila K. Reddy, Esq.  
Lynch Daskal Emery LLP  
264 West 40<sup>th</sup> Street  
New York, NY 10018  
[reddy@lawlynch.com](mailto:reddy@lawlynch.com)

Charles McAleer, Jr., Esq.  
Miller & Chevalier Chartered  
655 Fifteenth Street, N.W., Suite 900  
Washington, D.C. 20005  
[cmcaleer@milchev.com](mailto:cmcaleer@milchev.com)

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

DAVID STRACHMAN, Administrator of the	:	
Estate of Yaron Ungar, et al.,	:	
	:	
v.	:	Case No. 3:05-mc-00208(PCD)
	:	
THE PALESTINIAN AUTHORITY, et al.,	:	

**ORDER**

This case's complexity is demonstrated by the substantial number of pending motions and the stack of filed memoranda and supporting documents. This situation arises from the plaintiffs' effort to effectuate satisfaction of a \$116,000,000 judgment in their favor rendered by the United States District Court for the District of Rhode Island. Their effort includes reaching for assets of the judgment debtor, the Palestinian Authority (the "PA"), and the Palestinian Investment Fund ("PIF"), an apparent legal entity to which the PA has entrusted funds. The plaintiffs' effort has resulted in a judgment in the Rhode Island District Court vesting ownership of the PIF in plaintiffs, pursuant to which plaintiffs brought the action in this Court to reach PIF's interest in Canaan Equity Offshore C.V., Canaan Equity II Offshore C.V., and Canaan Equity III Offshore C.V. (collectively "the Canaan Entities"). Purportedly by reason of his capacity as Chief Executive Officer of the PIF, Dr. Mohammad Mustafa seeks to intervene to assert the interest of the Palestinian people in the assets held by PIF.

The parties contend that there are motions pending before this Court, subjects of extensive and often repetitive pleading, which may resolve the question of who should be deemed to own PIF in the face of the Rhode Island District Court's order vesting it in plaintiffs. That question will necessitate a review for legal validity of several of the Rhode Island District Court's rulings, a review subject to serious question as to the jurisdiction of this Court to do so.

However, the unraveling of the legal issues clouding the plaintiffs' enforcement effort in this Court may be in the offing in view of a recently filed motion in Rhode Island that seeks to reopen and vacate the original default judgment against the PA that spawned this and other related litigation. A decision there, subject to Circuit and perhaps Supreme Court appeals, could affect the proceedings in this case or render moot its end results if this case is processed to finality in the meantime.

The better use of judicial resources suggests deferral of proceedings here to await a more precise defining of the issues by the Rhode Island District Court, as suggested by Canaan Entities in their motion to stay this action [Doc. No. 147]. Such a course would also avoid this Court's having to review the legal efficacy of another court's judgment. The Court notes that the PA's pending Rhode Island motion to reopen the default judgment alone will not necessarily resolve all of the issues presently before this Court, for if the judgment is not vacated, the legal efficacy of vesting the plaintiffs with ownership of the PIF must still be determined, an issue which is not known to be raised by any presently pending motion in Rhode Island. Accordingly, the Canaan Entities' Motion to Stay [Doc. No. 147] is **granted**, and this case (including Dr. Mustafa's motion to intervene [Doc. No. 139] and the motions which can purportedly determine the ownership and officerships of PIF [Doc. Nos. 65, 97, 98, 106, and 109]) will be **stayed** pending resolution of the legal efficacy of plaintiffs' judgment and its vesting with the indicia of PIF ownership by the Rhode Island District Court.

SO ORDERED:

Dated at New Haven, Connecticut this 2<sup>nd</sup> day of May, 2008.

/s/

PETER C. DORSEY

UNITED STATES DISTRICT JUDGE

APPEAL, EFILE, STAYED

**U.S. District Court**  
**United States District Court for the District of Connecticut (New Haven)**  
**CIVIL DOCKET FOR CASE #: 3:05-mc-00208-PCD**

Strachman et al v. Palestinian Authority et al  
Assigned to: Judge Peter C. Dorsey  
Cause: Registration of Foreign Judgment

Date Filed: 06/29/2005  
Jury Demand: None  
Nature of Suit: 990 Other  
Jurisdiction: Federal Question

**Plaintiff****David Strachman***Admin of Est of Yaron Ungar & Efrat Ungar*

represented by **David J. Strachman**  
McIntyre, Tate, Lynch & Holt-LLP  
321 South Main Street  
Suite 400  
Providence, RI 02903  
401-351-7700  
Fax: 401-331-6095  
Email: djs@mtlhlaw.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff****Dvir Ungar***Minor, by his guardian & next friend*  
*Professor Meyer Ungar*

represented by **David J. Strachman**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Stephen P. Wright**  
Harlow, Adams & Friedman, P.C.  
300 Bic Dr.  
Milford, CT 06460-3058  
203-878-0661  
Fax: 203-878-9568  
Email: spw@quidproquo.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff****Judith Ungar**

represented by **David J. Strachman**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Stephen P. Wright**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**



		<i>Default Judgment</i> filed by The Estate of Yaron Ungar. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F)(Strachman, David) (Entered: 04/22/2008)
04/23/2008	<u>152</u>	EXHIBIT <i>B Part 1</i> by David Strachman re <u>151</u> Response,re <u>147</u> Motion to Stay. (Wright, Stephen) Modified on 4/24/2008 to create link to underlying motion(Falcone, K.). (Entered: 04/23/2008)
04/23/2008	<u>153</u>	EXHIBIT <i>B Part 2</i> by David Strachman re <u>151</u> Response,re <u>147</u> Motion to Stay. (Wright, Stephen) Modified on 4/24/2008 to create link to underlying motion(Falcone, K.). (Entered: 04/23/2008)
04/23/2008	<u>154</u>	EXHIBIT <i>B Part 3</i> by David Strachman re <u>151</u> Response,re <u>147</u> Motion to Stay. (Wright, Stephen) Modified on 4/24/2008 to create link to underlying motion(Falcone, K.). (Entered: 04/23/2008)
04/23/2008	<u>155</u>	EXHIBIT <i>C</i> by David Strachman re <u>151</u> Response,re <u>147</u> Motion to Stay. (Wright, Stephen) Modified on 4/24/2008 to create link to underlying motion(Falcone, K.). (Entered: 04/23/2008)
04/23/2008	<u>156</u>	EXHIBIT <i>D</i> by David Strachman re <u>151</u> Response,re <u>147</u> Motion to Stay. (Wright, Stephen) Modified on 4/24/2008 to create link to underlying motion(Falcone, K.). (Entered: 04/23/2008)
04/29/2008	<u>157</u>	REPLY to Response to <u>147</u> MOTION to Stay <i>Pending Final Disposition of Motion to Vacate Ungar Default Judgment</i> filed by Canaan Equity II Offshore CV, Canaan Equity III Offshore CV, Canaan Equity Offshore CV. (Attachments: # <u>1</u> Exhibit A)(Maslan, Robert) (Entered: 04/29/2008)
05/05/2008	<u>158</u>	ORDER granting <u>147</u> Motion to Stay. Signed by Judge Peter C. Dorsey on 5-2-08. (Miller, K.) (Entered: 05/05/2008)
05/07/2008	<u>159</u>	MOTION for Clarification <u>158</u> Order on Motion to Stay by The Estate of Yaron Ungar. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Strachman, David) (Entered: 05/07/2008)
05/09/2008	<u>160</u>	ELECTRONIC ORDER denying <u>159</u> Motion for Clarification <u>158</u> Order on Motion to Stay. The previously entered order clearly articulates the intention to stay the matter until a final decision of all appeals of the pending motion in Rhode Island. Signed by Judge Peter C. Dorsey on 5/9/08. (Villano, P.) (Entered: 05/09/2008)
05/12/2008	<u>161</u>	MOTION to Seal Memorandum in Further Support dkt #117 by David Strachman. (Strachman, David) (Entered: 05/12/2008)
05/13/2008	<u>162</u>	ELECTRONIC ORDER granting <u>161</u> Motion to Seal Memorandum in Further Support dkt #117. Signed by Judge Peter C. Dorsey on 5/13/08. (Villano, P.) (Entered: 05/13/2008)
05/13/2008	<u>163</u>	ENTERED IN ERROR: NOTICE by The Estate of Yaron Ungar <i>NOTICE OF APPEAL OF ORDERS OF MAY 5, 2008 and MAY 9, 2008</i> (Strachman, David) Modified on 5/16/2008 (Falcone, K.). (Entered: 05/13/2008)
05/13/2008	<u>164</u>	NOTICE OF APPEAL as to <u>160</u> Order on Motion for Clarification, <u>158</u> Order on Motion to Stay by The Estate of Yaron Ungar. Correcting Docket entry #163 (Falcone, K.) (Entered: 05/16/2008)
05/19/2008	<u>165</u>	USCA Appeal Fees received \$455 receipt number NO24595 re <u>164</u> Notice of Appeal filed by The Estate of Yaron Ungar (Falcone, K.) (Entered: 05/19/2008)
07/03/2008	<u>166</u>	Index to Record on Appeal by The Estate of Yaron Ungar re <u>164</u> Notice of Appeal, <u>148</u> Memorandum in Support of Motion, <u>160</u> Order on Motion for Clarification, <u>154</u> Exhibit, <u>152</u>